

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEFFREY D. MANN, *et al.*,

Plaintiffs,

v.

Civil Action 2:18-cv-1565
Judge Edmund A. Sargus, Jr.
Magistrate Judge Elizabeth P. Deavers

OHIO DEPARTMENT OF
REHABILITATION, *et al.*,

Defendants.

SCHEDULING ORDER

On September 26, 2019, the Court granted Defendants' Motion to Dismiss and entered judgment against Plaintiffs. (ECF Nos. 58, 59.) On October 24, 2019, Plaintiffs filed an appeal, and on August 3, 2020, the United States Court of Appeals for the Sixth Circuit remanded the case with instructions for this Court to consider: (1) whether the Plaintiffs' request for injunctive relief is moot, (2) whether qualified immunity bars Plaintiffs' money-damages claims, and (3) whether the new prison policy otherwise alters the landscape of this litigation. (ECF Nos. 60, 63, 65.) The Court establishes the following schedule in accordance with Federal Rule of Civil Procedure 16(b):

1. **DISCOVERY**: Discovery may proceed and must be completed on or before **FEBRUARY 15, 2021**. Depositions of any persons who are incarcerated may proceed on such terms and conditions as the institution shall impose. The Court advises the parties that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response. The Court

further advises that motions relating to discovery, if any, shall be filed within the discovery period unless it is impossible or impracticable to do so.

2. **DISPOSITIVE MOTIONS**: The parties shall file motions for summary judgment, if any, on or before **MAY 14, 2021**. The Court expects the parties to conduct any discovery that may be needed to address any potential motion for summary judgment within discovery period set forth above.
3. **EXTENSIONS/MODIFICATIONS**: The Court will not modify or extend the dates set forth in this Scheduling Order without a written motion which sets forth particular reasons why good cause exists to grant modification. *See* Fed. R. Civ. P. 16(b)(4).

IT IS SO ORDERED.

Date: September 1, 2020

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE